



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR RESOURCES**

**OPERATING PERMIT**

*BRADFORD DYEING ASSOCIATION, INC.*

**PERMIT NO. RI-12-06**

(Renewal date: August 23, 2006)  
(Expiration date: August 23, 2011)

**Pursuant to the provisions of Air Pollution Control Regulation No. 29, this operating permit is issued to:**

Bradford Dyeing Association, Inc.  
460 Bradford Road  
Bradford, RI 02891

**This permit shall be effective from the date of its issuance. All terms and conditions of the permit are enforceable by USEPA and citizens under the federal Clean Air Act, 42 U.S.C. 7401, et seq., unless specifically designated as not federally enforceable.**

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**Stephen Majkut, Chief  
Office of Air Resources**

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**Date of issuance: 08/23/06**

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## SECTION I. SOURCE SPECIFIC CONDITIONS

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### A. Requirements for Emission Units E820 and E821

The following requirements are applicable to:

- Emission Unit E820, which is a 350 HP Cummins Internal Combustion Engine, Model No. NT-855-G3, which burns diesel fuel. E820 is for emergency/standby use only.
- Emission Unit E821, which is a 170 HP Detroit Diesel Internal Combustion Engine (Fire Pump System), Model No. 6061-A, which burns diesel fuel. E821 is for emergency/standby use only.

#### 1. Emission Limitations

##### a. Opacity

The permittee shall not emit into the atmosphere, any air contaminant, for a period or periods aggregating more than three minutes, in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

##### b. Sulfur Oxides

Unless the Director declares in writing after a hearing that a shortage of low sulfur fuel exist, the permittee shall not use or store fuel with a sulfur content greater than 1.0% by weight. [8.2]

#### 2. Operating Requirements

- a. Emission Units E820 and E821 shall be operated only as a mechanical or electrical power source when the primary power source has been rendered inoperable. This does not include power interruptions pursuant to an interruptible power service agreement. [27.1.8]
- b. Emission Units E820 and E821 shall be operated less than 500 hours each during any consecutive 12 month period. If the hours of operation for any emergency engine exceeds 500 hours in any 12 month period, that unit shall immediately be in compliance with RACT as specified in APC Regulation No. 27. [27.2.3, Consent Agreement 95-28-AP(9)(a)]

**3. Monitoring Requirements**

- a. The permittee shall maintain a non-resetable elapsed time meter on Emission Units E820 and E821, to indicate, in cumulative hours, the elapsed engine operating time. [27.6.10(b), Consent Agreement 95-28-AP(9)(b)]

**4. Testing Requirements**

**a. Opacity**

Test for determining compliance with the opacity emissions limitations specified in Condition I.A.1.a. of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, method 9. [1.3.1, 1.3.2]

**b. Sulfur Oxides**

Compliance with the sulfur limitations contained in Condition I.A.1.b of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit. [29.6.3(b)]

**5. Recordkeeping Requirements**

- a. The permittee shall check and record the elapsed time meter readings at the beginning and end of each shift during which Emission Units E820 and/or E821 have operated. [Consent Agreement 95-28-AP(9)(c)]
- b. The permitte shall on a monthly basis, no later than 5 days after the first of the month, determine and record the hours of operation for E820 and E821 for the previous 12 month period. [27.6.10(c), Consent Agreement 95-28-AP(9)(d)]

**6. Reporting Requirements**

- a. The permittee shall notify the Office of Air Resources, in writing, within five working days whenever the hours of operation for either E820 and E821 exceed 500 hours in any consecutive twelve month period. [27.6.10(d), Consent Agreement 95-28-AP(9)(e)]

**B. Requirements for Emission Unit B801**

The following requirements are applicable to:

- Emission Unit B801, which is a 115 MMBTU/hr Babcock & Wilcox, Model No. FM 1801, which burns #6 fuel oil.

**1. Emission Limitations**

**a. Particulates**

The permittee shall not cause or permit the emissions of particulate matter in excess of 0.1 pounds per million BTU actual heat input. [13.2.1]

**b. Opacity**

The permittee shall not emit into the atmosphere, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

**c. Sulfur Oxides**

Unless the Director declares in writing after a hearing that a shortage of low sulfur fuel exist, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0% by weight. [8.2]

**2. Operating Requirements**

- a. From 1 April through 31 August, the permittee shall operate Emission Unit B801 only in the event of an emergency. An emergency situation is defined as the loss of availability of Emission Unit B812. Loss of availability of Emission Unit B812 does not include planned outages for routine maintenance. During the ozone season, B801 shall operate on residual oil only if natural gas is not available. [Consent Agreement 95-28-AP(7)(a)]
- b. The permittee shall tune Emission Unit B801 at least once each year of operation, in accordance with the procedure described in Appendix A of APC Regulation No. 27. [27.4.2(c), Consent Agreement 95-28-AP-CA(7)(b), 29.6.3(b)]
- c. If the permittee does exceed the 497,753 gallons of #6 fuel oil in any consecutive twelve-month period, Emission Unit B801 must immediately comply with RACT requirements specified in Section 27.4.2 of Air Pollution Control Regulation No. 27. Failure to immediately comply with Section 27.4.2 shall subject the permittee to enforcement actions, which may include monetary penalty. [Consent Agreement 95-28-AP(7)(c)]

- d. Fuel usage shall not exceed 497,753 gallons of #6 fuel oil in any consecutive twelve month period for Emission Unit B801. [Consent Agreement 95-28-AP(7)(c)]

### **3. Monitoring Requirements**

- a. Emission Unit B801 shall be equipped with an opacity monitor with audio alarm. [6.2.2(a)] The opacity monitor shall be calibrated to sound the alarm at 20 percent opacity and shall be operated continuously during the combustion of oil. The audio alarm must be located in an area where it will be heard by the operator or other person responsible for the unit. [6.2.3, 29.6.3(b)]
- b. The permittee shall operate and maintain a fuel flow meter on Emission Unit B801. [Consent Agreement 95-28-AP-CA(7)(d), 29.6.3(b)]

### **4. Testing Requirements**

#### **a. Particulates**

Compliance with the particulate emission limitations contained in Condition I.B.1.a of this permit, shall be determined by emission testing conducted by the permittee according to Method 5 of 40 CFR 60, Appendix A, or another method approved by the Office of Air Resources and the USEPA, shall be used. [13.3.1]

The requirements of particulate emissions testing may be waived if the Director and the USEPA:

- (1) Specifies or approves, in a specific case, the use of a reference method with minor changes in methodology; or
- (2) Approves the use of an equivalent or alternative method the results of which he has determined to be adequate for indicating whether the permittee is in compliance; or
- (3) Finds that the permittee has demonstrated by other means to the Director's and the USEPA's satisfaction that the source is in compliance with the relevant emissions standards. [13.3.3]

In the absence of data from particulate emissions testing, the Director and the USEPA may determine that an emission unit is or is not in compliance with the emissions limitation of Condition I.B.1.a of this permit based on available information including, but not limited to, type of fuel burned, design of unit,

efficiency of air pollution control systems, operating and maintenance procedures, and emission test results on similar units. [13.3.2]

**c. Opacity**

Test for determining compliance with the opacity emissions limitations specified in Condition I.B.1.b of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1,1.3.2]

**d. Sulfur Oxides**

Compliance with the sulfur limitations contained in condition I.B.1.c. of this permit shall be determined by the procedures referenced in condition II.U.2 of this permit. [29.6.3(b)]

**5. Recordkeeping Requirements**

a. The permittee shall document and maintain the following records to demonstrate compliance with Condition I.B.2 of this permit:

- (1) The condition(s) causing loss of availability of Emission Unit B812, as well as the duration of the condition. [Consent Agreement 95-28-AP(8)(a)]
- (2) The condition(s) causing natural gas to be not available, while Emission Unit B801 is operating during the ozone season, including notification from the fuel supplier of the length of time that such a condition is projected to continue. [Consent Agreement 95-28-AP(8)(b)]
- (3) On a monthly basis, no later than five days after the first of each month, the permittee shall determine and record the total fuel usage for Emission Unit B801 for the previous twelve month period. [Consent Agreement 95-28-AP(8)(c)]

b. The permittee shall maintain records verifying that a tune-up has been performed in accordance with Condition I.B.2.b of this permit. These records shall include the following information:

- (1) The date the tune-up was performed,
- (2) The name of the person who performed the tune-up,



- (3) The final excess oxygen setting, and
- (4) The O<sub>2</sub>/smoke curve that has been developed as part of the tune-up procedure. [27.6.8(a-d), Consent Agreement 95-28-AP(7)(b), 29.6.3(b)]
- c. The permittee shall record the fuel flow meter readings at the beginning and end of each shift during which time Emission Unit B801 is operated. [Consent Agreement 95-28-AP-CA (7)(e), 29.6.3(b)]

**6. Reporting Requirements**

- a. The permittee shall notify the Office of Air Resources, in writing within five working days whenever the fuel usage for Emission Unit B801 exceeds 497,753 gallons of #6 fuel oil in any consecutive twelve month period. [Consent Agreement 95-28-AP (8)(d), 29.6.3(b)]

**C. Requirements for Emission Unit B802**

The following requirements are applicable to:

- Emission Unit B802, which is a 33 MMBTU/hr Cleaver Brooks, Model No. CB 400-800, which burns #6 fuel oil.

**1. Emission Limitations**

**a. Particulates**

The permittee shall not cause or permit the emissions of particulate matter in excess of 0.1 pounds per million BTU actual heat input. [13.2.1, PSD -031-120-RI04(B)(2)]

**b. Opacity**

The permittee shall not emit into the atmosphere, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2, PSD-031-120-RI04(B)(3)] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

**c. Sulfur oxides**

Emission Unit B802 shall not burn fuel oils with a sulfur content exceeding

0.55 pounds per million BTU heat release potential (1.0% sulfur by weight).  
[8.2, PSD-031-120-RI04(B)(1)]

**2. Operating Requirements**

- a. The permittee shall tune Emission Unit B802 on or before 31 May of each year of operation, in accordance with the procedure described in Appendix A of APC Regulation No. 27. [27.4.2 (c), Consent Agreement 95-28-AP(6), 29.6.3(b)]

**3. Monitoring Requirements**

**a. Opacity**

Emission Unit B802 shall be equipped with an opacity monitor with audio alarm. [6.2.2(a)] The opacity monitor shall be calibrated to sound the alarm at 20 percent opacity and shall be operated continuously during the combustion of oil. The audio alarm must be located in an area where it will be heard by the operator or other person responsible for the unit. [6.2.3, PSD-031-120-RI04(C)(2), 29.6.3(b)]

- b. Fuel sulfur and BTU content verification shall be provided by the distributor to the permittee. The permittee shall have this information available at all times. [PSD-031-120-RI04(C)(1), 29.6.3(b)]

**4. Testing Requirements**

**a. Particulates**

Compliance with the particulate emission limitations contained in Condition I.C.1.a of this permit, shall be determined by emission testing conducted by

the permittee according to Method 5 of 40 CFR 60, Appendix A, or another method approved by the Office of Air Resources and the USEPA, shall be used. [13.3.1]

The requirements of particulate emissions testing may be waived if the Director and the USEPA:

- (1) Specifies or approves, in a specific case, the use of a reference method with minor changes in methodology; or
- (2) Approves the use of an equivalent or alternative method the results of which he has determined to be adequate for indicating whether the

permittee is in compliance; or

- (3) Finds that the permittee has demonstrated by other means to the Director's and the USEPA's satisfaction that the source is in compliance with the relevant emissions standards. [13.3.3]

In the absence of data from particulate emissions testing, the Director and the USEPA may determine that an emission unit is or is not in compliance with the emissions limitation of Condition I.C.1.a of this permit based on available information including, but not limited to, type of fuel burned, design of unit, efficiency of air pollution control systems, operating and maintenance procedures, and emission test results on similar units. [13.3.2]

**c. Opacity**

Test for determining compliance with the opacity emissions limitations specified in Condition I.C.1.b. of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1,1.3.2]

**d. Sulfur Oxides**

Compliance with the sulfur limitations contained in Condition I.C.1.c of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit. [29.6.3(b)]

**5. Recordkeeping Requirements**

- a. The permittee shall record the monthly fuel usage for Emission Unit B802. [27.6.3(a) and (b)]
- b. The permittee shall maintain records verifying that a tune-up has been performed in accordance with Condition I.C.2.a of this permit. These records shall include the following information:
  - (1) The date the tune-up was performed,
  - (2) The name of the person who performed the tune-up,
  - (3) The final excess oxygen setting, and
  - (4) The O<sub>2</sub>/smoke curve that has been developed as part of the tune-up procedure. [27.6.8(a-d), 29.6.3(b)]

- c. Sulfur and BTU content verification shall be compiled quarterly. Copies of the fuel analysis sheets shall be maintained at the facility and be made accessible for review by the Office of Air Resources or designated personnel of the Office of Air Resources and USEPA. These records shall include a certified statement, signed by a responsible official, that the records represent all of the fuel combusted during each quarter. [PSD-031-120-RI04(D)(1), 29.6.3(b)]

## **6. Reporting Requirements**

- a. The permittee shall submit a report to the USEPA and RIDEM within 10 days of any non-compliance with the terms and conditions, as stated in Section I.C. of this permit. Such a report will include the date, duration and cause of any violation. [PSD-031-120-RI04(D)(3)]

## **7. Other Requirements**

- a. Emission Unit B802 shall be operated consistent with the representation of B802 in the PSD application. [PSD-031-120-RI04(A)(1)]
- b. Emission Unit B802 shall comply with all applicable state and federal air pollution control requirements. [PSD-031-120-RI04(A)(3)]
- c. Emission Unit B802 shall be operated and maintained in such a manner to assure compliance with Section I.C. of this permit. [PSD-031-120-RI04(B)(4)]

## **D. Requirements for Emission Unit B812**

The following requirements are applicable to:

- Emission Unit B812, which is a 115 MMBTU/hr Foster Wheeler Water Tube Boiler, Model No. B-4912 equipped with low-NOx burners and flue gas recirculation, which burns of burns #6 oil.

### **1. Emission Limitations**

#### **a. Particulates**

The permittee shall not cause or permit the emissions of particulate matter in excess of 0.1 pounds per million BTU actual heat input. [13.2.1]

#### **b. Opacity**

The permittee shall not emit in to the atmosphere, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

**c. Sulfur Oxides**

Unless the Director declares in writing after a hearing that a shortage of low sulfur fuel exist, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0% by weight. [8.2]

**2. Operating Requirements**

- a. When fired with residual fuel oil, Emission Unit B812 shall be equipped with low-NO<sub>x</sub> burners and flue gas recirculation (with a minimum of 10% flue gas recirculation.) [27.4.2(b), Consent Agreement 95-28-AP(5.)]

**3. Monitoring Requirements**

**a. Opacity**

Emission Unit B812 shall be equipped with an opacity monitor with audio alarm. [6.2.2(b)] The opacity monitor shall be calibrated to sound the alarm at 20 percent opacity and shall be operated continuously during the combustion of oil. The audio alarm must be located in an area where it will be heard by the operator or other person responsible for the unit. [6.2.3, 29.6.3(b)]

- b. The damper position of the FGR fan for Emission Unit B812 shall be monitored once per day. [29.6.3(a), 40 CFR 64]
- c. The oxygen content of the flue gas from Emission Unit B812 shall be monitored once per day using a portable combustion analyzer. [29.6.3(a), 40 CFR 64]
- d. **NO<sub>x</sub>** emissions from Emission Unit B812 shall be monitored once per day using a portable combustion analyzer. [29.6.3(a), 40 CFR 64]
- e. Boiler load (pounds per hour of steam) shall be monitored continuously for Emission Unit B812. [29.6.3(a), 40 CFR 64]
- f. The determination of nitrogen oxides and oxygen concentrations required by

conditions I.D.3.c and I.D.3.d shall be conducted according to the ICAC Test Method For Periodic Monitoring, entitled “Test Method – Determination of Oxygen, Carbon Monoxide and Oxides of Nitrogen from Stationary Sources For Periodic Monitoring (Portable Electrochemical Analyzer Procedure) or another method approved by the Office of Air Resources. [29.6.3(a), 40 CFR 64]

#### **4. Testing Requirements**

##### **a. Particulates**

Compliance with the particulate emission limitations contained in Condition 1.D.1.a of this permit, shall be determined by emission testing conducted by the permittee according to Method 5 of 40 CFR 60, Appendix A, or another method approved by the Office of Air Resources and the USEPA, shall be used. [13.3.1]

The requirements of particulate emissions testing may be waived if the Director and the USEPA:

- (1) Specifies or approves, in a specific case, the use of a reference method with minor changes in methodology; or
- (2) Approves the use of an equivalent or alternative method the results of which he has determined to be adequate for indicating whether the permittee is in compliance; or
- (3) Finds that the permittee has demonstrated by other means to the Director's and the USEPA's satisfaction that the source is in compliance with the relevant emissions standards. [13.3.3]

In the absence of data from particulate emissions testing, the Director and the USEPA may determine that an emission unit is or is not in compliance with the emissions limitation of Condition 1.D.1.a of this permit based on available information including, but not limited to, type of fuel burned, design of unit, efficiency of air pollution control systems, operating and maintenance procedures, and emission test results on similar units. [13.3.2]

##### **b. Nitrogen Oxides (NO<sub>x</sub>)**

Emissions testing for compliance with NO<sub>x</sub> control requirements shall be conducted by 31 December of each year. Emission testing shall comply with the following requirements: [27.5.7(a)]

- (1) An emissions testing protocol shall be submitted to the Office of Air Resources for review and approval prior to the performance of any test. The Office of Air Resources shall be notified at least 60 days prior to any emissions test. [27.5.7(b)]
- (2) All test procedures used for emission testing shall be in accordance with the methods set forth in Appendix A of 40 CFR 60, or another method in Appendix A of 40 CFR 60, or another method approved by the Office of Air Resources and the USEPA. [27.5.7(c)]
- (3) The permittee shall install any and all test ports or platforms necessary to conduct the required emissions testing, provide safe access to any platforms and provide any necessary utilities for sampling and testing equipment. [27.5.7(d)]
- (4) All testing shall be conducted under operating conditions deemed acceptable and representative for the purpose of assessing compliance with the applicable emission limitation. [27.5.7(e)]
- (5) All emissions testing must be observed by the Office of Air Resources or its authorized representative to be considered acceptable. [27.5.7(f)]
- (6) Emissions testing shall consist of 3 - one hour test runs. Compliance with the emission limitation must be demonstrated for each test run. [27.5.5]
- (7) A final report of the results of emission testing shall be submitted to the Office of Air Resources no later than 60 days following completion of the testing. [27.5.7(g)]

**c. Opacity**

Tests for determining compliance with the opacity emissions limitations specified in Condition I.D.1.c of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1,1.3.2]

**d. Sulfur Oxides**

Compliance with the sulfur limitations specified in Condition I.D.1.a. of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit. [29.6.3(b)]

## **5. Recordkeeping Requirements**

- a. The permittee shall record monthly fuel usage for Emission Unit B812. [27.6.3]
- b. The permittee shall, once per day, record the following information for Emission Unit B812. The date, time and measurement shall be recorded:[29.6.3(a). 40 CFR 64]
  - (1) The **NO<sub>x</sub>** emissions; and,
  - (2) The oxygen content of the flue gas at the time the **NO<sub>x</sub>** emissions are measured; and,
  - (3) The boiler load (pounds of steam per hour) at the time **NO<sub>x</sub>** emissions are measured; and,
  - (4) The FGR damper position at the time the **NO<sub>x</sub>** emissions are measured.
- c. The permittee shall maintain a record of the boiler load and corresponding FGR damper position based on the most recent adjustment/calibration of the FGR damper control system. [29.6.3(a), 40 CFR 64]

## **6. Reporting Requirements**

- a. The permittee shall notify the Office of Air Resources whenever the damper position of the FGR fan for Emission Unit B812 is not the correct position for the corresponding boiler load. This notification shall be provided in the semi-annual monitoring report required by II.AA.2. [29.6.3(a), 40 CFR 64]

## **E. Requirements for Emission Unit D001**

The following requirements are applicable to:

- Emissions Unit D001, which is a Build All Corp. Model No. WH1630/LA parts washer.

### **1. Operating Requirements**

- a. Equipment covers and dipping or rotating baskets must be constructed of nonporous or nonabsorbent material. Covers must form a tight seal with the sides of D001 and have no gaps or holes. [36.4.1]



- b. When the cover for D001 is open, drafts at the same elevation as the tank lip must not be greater than 40 m/min. (130 ft/min.) when measured 1 to 2 meters (3 to 7 feet) upwind. [36.4.2]
- c. Leaks must be repaired immediately or D001 shut down. [36.4.3]
- d. Equipment used in D001 must display a conspicuous summary of proper operating procedures consistent with minimizing emissions of organic solvents. [36.4.4]
- e. Spills shall be wiped up immediately. The wipe rags shall be stored in covered containers meeting the specifications in Condition I.E.1.1 of this permit. [36.4.6]
- f. No porous or absorbent materials, such as sponges, fabrics, wood, or paper products, shall be cleaned in D001. [36.4.7]
- g. Parts baskets or parts shall be drained under the cover and shall not be removed from D001 for at least 15 seconds or until dripping ceases and the pieces are visually dry, whichever is longer. [36.4.8]
- h. Parts having cavities or blind holes shall be tipped or rotated while draining before being removed from the vapor zone. [36.4.9]
- i. Parts shall be oriented for best drainage. [36.4.10]
- j. When solvent is added to or drained from D001, the solvent shall be transferred using threaded or other leakproof couplings and the end of the pipe in the solvent sump shall be located beneath the liquid solvent surface. [36.4.11]
- k. Solvent, waste solvent, still bottoms, and sump bottoms must be stored in covered containers and waste solvent transferal or disposal must allow less than 20 percent of the waste solvent (by weight) to evaporate into the atmosphere. [36.4.12]
- l. D001 shall be maintained as recommended by the manufacturer of the equipment. [36.4.13]
- m. Operators must receive training in proper solvent cleaning procedures and, if requested by representatives of the Office of Air Resources or the USEPA during an inspection, must complete and pass the applicable sections of the test on those procedures in Appendix A of APC Regulation No. 36. [36.4.14]

- n. D001 shall be equipped with an attached cover that can be operated easily with one hand. Covers must be closed at all times except during parts entry and removal. [36.5.1]
- o. A freeboard ratio of greater than or equal to 0.75 shall be used to control solvent emissions from D001. [36.5.3]
- p. If a flexible hose or flushing device is used, flushing shall be performed only within the freeboard zone of D001. [36.5.4]
- q. The height of solvent in D001 shall not exceed the manufacturer's fill line for that machine. [36.5.6]

## **2. Recordkeeping Requirements**

- a. The permittee shall maintain the following records:
  - (1) Training provided to operators of D001 for the lifetime of the unit, [36.10.4(a), 29.6.3(b)]
  - (2) Amount and type of solvent used in D001, and [36.10.4(a), 29.6.3(b)]
  - (3) The date and type of each equipment malfunction or leak and the date it is repaired. [36.10.4(b), 29.6.3(b)]

## **F. Requirements for Emission Units P360, P401, P402, P403, P501, P502, P503, P508, P901, P902, P903, T411, T412, T500 and F900.**

The following requirements are applicable to:

- Emission Unit P360, which consists of equipment used for dyeing cloth. P360 is equipped with one 7 MMBTU/hr drying oven, capable of burning natural gas and propane.
- Emission Unit P401, which consists of a Stork Brabant, Model Number RD IV screen printing line. [Approval No. 586] P401 is equipped with two 10 MMBTU/hr drying ovens, capable of burning natural gas and propane.
- Emission Unit P402, which consists of a Stork Brabant, Model Number RD IV screen printing line. P402 is equipped with two 8 MMBTU/hr drying ovens, capable of burning natural gas and propane.

- Emission Unit P403, which consists of a Stork Brabant, Model Number RD IV screen printing line. [Approval No. 586] P403 is equipped with two 8 MMBTU/hr drying ovens, capable of burning natural gas and propane.
- Emission Unit P501, which is a Tenterframe used to apply finish to the cloth. P501 is equipped with one 8 MMBTU/hr drying oven, capable of burning natural gas and propane.
- Emission Unit P502, which is a Tenterframe used to apply finish to the cloth. P501 is equipped with one 12 MMBTU/hr drying oven, capable of burning natural gas and propane.
- Emission Unit P503, which is a Tenterframe used to apply finish to the cloth. P501 is equipped with one 15 MMBTU/hr drying oven, capable of burning natural gas and propane.
- Emission Unit P508, which is a Tenterframe used to apply finish to the cloth. P501 is equipped with one 4 MMBTU/hr drying oven, capable of burning natural gas and propane.
- Emission Unit P901, which is a knife coating line manufactured by Bradford Dyeing Association. P901 is equipped with a 7 MMBTU/hr drying oven, capable of burning natural gas and propane.
- Emission Unit P902, which is a knife coating line manufactured by Bradford Dyeing Association. P901 is equipped with a 7 MMBTU/hr drying oven, capable of burning natural gas and propane.
- Emission Unit P903, which is a Tenterframe used to apply finish to the cloth. P903 is equipped with a 5 MMBTU/hr drying oven, capable of burning natural gas and propane.
- Emission Units T411 (900-gallon capacity) and T412 (891-gallon capacity) Emission Unit T500 consists of starch room mix tanks (14 total).
- Emission Unit F900 consists of all wastewater treatment operations at the facility

There are no specific applicable requirements for Emission Units P360, P401, P402, P403, P501, P502, P503, P508, P901, P902, P903, T411, T412, T500 and F900. This does not relieve the permittee from compliance with the provisions in Section I.I and of the General Conditions outlined in Section II of this permit, as they apply to P360, P401, P402, P403, P501, P502, P503, P508, P901, P902, P903, T411, T412, T500 and F900.

**G. Requirements for Emission Unit B803**

The following requirements are applicable to:

- Emission Unit B803, which is a 21.28 MMBTU/hr Cleaver Brooks fire tube boiler, Model No. CB 666-500, which burns #6 fuel oil.

**1. Emission Limitations**

**a. Particulates**

The emission rate of particulate matter discharged to the atmosphere from Emission Unit B803 shall not exceed 0.1 lbs per million BTU heat input or 2.1 lbs/hr, whichever is more stringent. [13.2.1, Approval No. 1804(A)(4)]

**b. Opacity**

Visible emissions from Emission Unit B803 shall not exceed 10% opacity (six-minute average). [1.2, Approval No. 1804 (A)(6)] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

**c. Sulfur dioxide (SO<sub>2</sub>)**

- (1) All fuel burned in Emission Unit B803 shall contain no more than 1.0 percent sulfur by weight. [8.2, Approval No. 1804 (A)(3)(a)]
- (2) The emission rate of sulfur dioxide discharged to the atmosphere from Emission Unit B803 shall not exceed 21.90 lbs/hr. [Approval No. 1804(A)(3)(b)]

**d. Nitrogen oxides (as nitrogen dioxide (NO<sub>2</sub>))**

The emission rate of nitrogen oxides discharged to the atmosphere from Emission Unit B803 shall not exceed 0.5 lbs per million BTU heat input or 10.46 lbs/hr whichever is more stringent. [Approval No. 1804(A)(1)]

**e. Carbon Monoxide (CO)**

The emission rate of carbon monoxide discharged to the atmosphere from Emission Unit B803 shall not exceed 0.08 lbs per million BTU heat input or 0.70 lbs/hr whichever is more stringent. [Approval No. 1804(A)(2)]

**f. Volatile Organic Compounds (VOC)**

The emission rate of volatile organic compounds discharged to the atmosphere from Emission Unit B803 shall not exceed 0.002 lbs per million BTU heat input or 0.04 lbs/hr, whichever is more stringent. [Approval No. 1804(A)(5)]

**2. Operating Requirements**

- a. The maximum firing rate of Emission Unit B803 shall not exceed 139.5 gal/hr of # 6 fuel oil. [Approval No. 1804(B)(1)]
- b. The permittee shall limit the quantity of # 6 fuel oil combusted in Emission Unit B803 to 496,815 gallons or less for any consecutive 12-month period. [Approval No. 1804(B)(2)]
- c. The permittee shall tune Emission Unit B803 at least once each year of operation, in accordance with the procedure described in Appendix A of APC Regulation No. 27. [Approval No. 1804(B)(3), 29.6.3(b)]

**3. Monitoring Requirements**

- a. Continuous emission monitoring equipment shall be installed, operated and maintained for opacity. [6.2.1, 6.2.2(a), Approval No. 1804(C)(1), 29.6.3(b)]
- b. Fuel oil flow for emission unit B803 shall be continuously measured. [Approval No. 1804(C)(2), 29.6.3(b)]

**4. Testing Requirements**

**a. Particulates**

Compliance with the particulate emission limitations contained in Condition I.G.1.a of this permit, shall be determined by emission testing conducted by the permittee according to Method 5 of 40 CFR 60, Appendix A, or another method approved by the Office of Air Resources and the USEPA, shall be used. [13.3.1]

The requirements of particulate emissions testing may be waived if the Director and the USEPA:

- (1) Specifies or approves, in a specific case, the use of a reference method with minor changes in methodology; or

- (2) Approves the use of an equivalent or alternative method the results of which he has determined to be adequate for indicating whether the permittee is in compliance; or
- (3) Finds that the permittee has demonstrated by other means to the Director's and the USEPA's satisfaction that the source is in compliance with the relevant emissions standards. [13.3.3]

In the absence of data from particulate emissions testing, the Director and the USEPA may determine that an emission unit is or is not in compliance with the emissions limitation of Condition I.G.1.a of this permit based on available information including, but not limited to, type of fuel burned, design of unit, efficiency of air pollution control systems, operating and maintenance procedures, and emission test results on similar units. [13.3.2]

**b. Opacity**

Tests for determining compliance with the opacity emissions limitations specified in Condition I.G.1.b of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

**c. Sulfur dioxide (SO<sub>2</sub>)**

- (1) Compliance with the sulfur limitations contained in Condition I.G.1.c of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit. [Approval No. 1804(D)(1), 29.6.3(b)]
- (2) Each fuel supplier certification or each fuel oil analysis must demonstrate that the oil contains 1.0 percent sulfur by weight or less. [Approval No. 1804(D)(4), 29.6.3(b)]

**5. Recordkeeping Requirements**

- a. Fuel oil flow for Emission Unit B803 shall be continuously recorded. [Approval No. 1804(C)(2), 29.6.3(b)]
- b. The permittee shall, on a monthly basis, no later than 5 days after the first of the month, determine the total quantity of No. 6 fuel oil combusted in the boiler for the previous 12 months. The permittee shall keep records of this determination and provide such records to the Office of Air Resources upon request. [Approval No. 1804(E)(1), 29.6.3(b)]

- c. The permittee shall retain copies of all fuel supplier certifications or fuel oil analyses for each calendar quarter. These records shall be made accessible for review by the Office of Air Resources or the USEPA. This quarterly record shall include a certified statement, signed by the permittee, that the records of fuel supplier certifications submitted represent all of the fuel combusted during the quarter. [Approval No. 1804(E)(5), 29.6.3(b)]
- d. The permittee shall maintain records that a tune-up has been performed in accordance with Condition I.G.2.c of this permit. These records shall include the following information: [Approval No. 1804(E)(6), 29.6.3(b)]
  - (1) The date the tune-up was performed, [Approval No. 1804(E)(6)(a)]
  - (2) The name of the person who performed the tune-up, [Approval No. 1804(E)(6)(b)]
  - (3) The final excess oxygen setting, and [Approval No. 1804(E)(6)(c)]
  - (4) The O<sub>2</sub>/CO curve or O<sub>2</sub>/smoke curve that has been developed as part of a tune-up procedure. [Approval No. 1804(E)(6)(d)]

## **6. Reporting Requirements**

- a. The permittee shall notify the Office of Air Resources, in writing within 5 business days, whenever the quantity of No. 6 fuel oil combusted in this boiler exceeds 496,815 gallons for any consecutive 12-month period. [Approval No. 1804(E)(2), 29.6.3(b)]
- b. The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms in Section I.G of this permit or any other applicable air pollution control rules and regulations. [Approval No. 1804(E)(7)]

## **7. Other Permit Conditions**

- a. To the extent consistent with the requirements of Section I.G of this permit and applicable federal and state laws, Emission Unit B803 shall be designed, constructed and operated in accordance with the representation of the equipment in the preconstruction permit application dated 16 February 2004. [Approval No. 1804(F)(1)]

- b. At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate Emission Unit B803 in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Office of Air Resources which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures and inspection of the source. [Approval No. 1804(F)(3)]

## **H. Requirements for Emission Unit P504**

The following requirements are applicable to:

- Emission Unit P504, which is a Tenterframe used to apply finish to the cloth. P504 is equipped with one 16 MMBTU/hr drying oven, capable of burning natural gas and propane. Emission Unit P504 is associated with air pollution control device I001, which is a VMB Systems Smoke Abater, Model No. M9.

### **1. Emission Limitations**

#### **a. Opacity**

There shall be no visible emissions from the exhaust stack of I001. [1.2, Approval No. 1792(A)(1)] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

### **2. Operating Requirements**

- a. Air pollution control device I001 shall be operated at a minimum temperature of 500°F whenever emissions from P504 are being discharged to the device. [Approval No. 1792(B)(1)]
- b. There shall be no bypassing of air pollution control device I001 during times when emissions from P504 are being discharged to I001. [Approval No. 1792(B)(2)]
- c. Emission Unit P504 shall be equipped with an interlock to prevent operation of the equipment if the operating temperature of air pollution control device I001 is less than the temperature specified in Condition I.H.2.a of this permit. [Approval No. 1792(B)(3)]
- e. I001 shall be operated according to its design specifications whenever P504



is in operation or is emitting air contaminants. [16.1]

f. Malfunctions

- (1) Malfunction means a sudden and unavoidable breakdown of process or control equipment. In the case of a malfunction of I001, all reasonable measures shall be taken to assure resumption of the designed control efficiency as soon as possible. In the event that the malfunction of I001 is expected or may reasonably be expected to continue for longer than 24 hours, and if the permittee wishes to operate P504 at any time beyond that period, the Director shall be petitioned for a variance under Section 23-23-15 of the General Laws of Rhode Island, as amended. Such petition shall include, but is not limited to, the following: [16.2, Approval No. 1792(F)(1)]
  - (a) Identification of the specific air pollution control system (i.e. I001) and source on which it is installed (i.e. P504), [16.2(a), Approval No. 1792(F)(1)(a)]
  - (b) The expected period of time that I001 will be malfunctioning or out of service, [16.2(b), Approval No. 1792(F)(1)(b)]
  - (c) The nature and quantity of air contaminants likely to be emitted during said period, [16.2(c), Approval No. 1792(F)(1)(c)]
  - (d) Measures that will be taken to minimize the length of said period, and [16.2(d), Approval No. 1792(F)(1)(d)]
  - (e) The reasons that it would be impossible or impractical to cease the source operation during said period. [16.2(e), Approval No. 1792(F)(1)(e)]
- (2) The permittee may seek to establish that a malfunction of any air pollution control system that would result in noncompliance with any of the terms in Section I.H .of this permit or any other applicable air pollution control rules and regulations was due to unavoidable increases in emissions attributable to the malfunction. To do so, the permittee must demonstrate to the Office of Air Resources that: [Approval No. 1792(F)(2)]
  - (a) The malfunction was not attributable to improperly designed air pollution control equipment, lack of preventative maintenance, careless or improper operation, or operator

error; [Approval No. 1792(F)(2)(a)]

- (b) The malfunction was not part of a recurring pattern indicative of inadequate design, operation, or maintenance; [Approval No. 1792(F)(2)(b)]
- (c) Repairs were performed in an expeditious fashion. Off-shift labor and overtime should be utilized, to the extent practicable, to ensure that such repairs were completed as expeditiously as practicable. [Approval No. 1792(F)(2)(c)]
- (d) All possible steps were taken to minimize emissions during the period of time that the repairs were performed. [Approval No. 1792(F)(2)(d)]
- (e) Emissions during the period of time that the repairs were performed will not: [Approval No. 1792(F)(2)(e)]
  - (i) Cause an increase in the ground level ambient concentration at or beyond the property line in excess of that allowed by Air Pollution Control Regulation No. 22 and any Calculated Acceptable Ambient Levels; and [Approval No. 1792(F)(2)(e)(i)]
  - (ii) Cause or contribute to air pollution in violation of any applicable state or national ambient air quality standard. [Approval No. 1792(F)(2)(e)(ii)]
- (f) The reasons that it would be impossible or impractical to cease the source operation during said period. [Approval No. 1792(F)(2)(f)]
- (g) The permittees action in response to the excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence. [Approval No. 1792(F)(2)(g)]

This demonstration must be provided to the Office of Air Resources, in writing, within two working days of the time when the malfunction occurred and contain a description of the malfunction, any steps taken to minimize emissions and corrective actions taken. [Approval No. 1794(F)]

The permittee shall have the burden of proof in seeking to establish

that noncompliance was due to unavoidable increases in emissions attributable to the malfunction. [Approval No. 1794(F)]

**3. Monitoring Requirements**

- a. Operating temperature of air pollution control device I001 shall be monitored and indicated continuously. [Approval No. 1792(C)(1), 29.6.3(b)]
- b. Pressure drop across the diffuser grid of air pollution control device I001 shall be monitored and indicated continuously. [Approval No. 1792(C)(2), 29.6.3(b)]

**4. Recordkeeping Requirements**

- a. The operating temperature of air pollution control device I001 shall be recorded continuously. [Approval No. 1792(C)(1), 29.6.3(b)]
- b. The permittee shall maintain records of the operating temperature of air pollution control device I001. [Approval No. 1792(D)(1), 29.6.3(b)]
- c. The pressure drop across the diffuser grid of air pollution control device I001 shall be checked a minimum of once per day and the date, time and reading shall be recorded. [Approval No. 1792(D)(2), 29.6.3(b)]

**5. Reporting Requirements**

- a. The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.H of this permit or any other applicable air pollution control rules and regulations. [Approval No. 1792(D)(4)]
- b. The permittee must notify the Office of Air Resources no later than 24 hours after the exceedance of the emission limitation in Condition I.H.1.a of this permit is discovered. [Approval No. 1792(D)(5)]

**6. Other Permit Conditions**

- a. To the extent consistent with the requirements in Section I.H of this permit and applicable federal and state laws, air pollution control device I001 shall be designed, constructed and operated in accordance with the representation of the equipment in the preconstruction permit application. [Approval No. 1792(E)(1)]
- b. The permittee shall shut down Emission Unit P504 in the event of a

malfunction of air pollution control device I001 that results in or that could result in emissions in excess of the emission limitations in Section I.H.1 of this permit. The equipment shall remain shutdown until the malfunction has been identified and corrected. [Approval No. 1792(E)(3)]

- c. At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate air pollution control device I001 in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Office of Air Resources which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures and inspection for the source. [Approval No. 1792(E)(4)]

## **I. Facility Requirements**

### **1. Emission Limitations**

- a. The total quantity of HAP emissions discharged to the atmosphere from the entire facility shall not exceed 18,000 pounds of any one (1) HAP or 48,000 pounds of any combination of HAPs in any consecutive 12-month period.
- b. The total quantity of volatile organic compounds (VOC) discharged to the atmosphere from the entire facility shall not exceed 98,000 pounds in any consecutive 12 month period.[15.2.5(a), Consent Agreement 00-01-AP(6)]

### **2. Operating Requirements**

- a. If the emission limitation in condition I.I.1.b. is exceeded the permittee must immediately install and operate in compliance with RACT pursuant to Air Pollution Control Regulation No. 15, Section 15.3.10. [15.3.10, Consent Agreement 00-01-AP(8)]

### **3. Recordkeeping Requirements**

- a. The permittee shall, on a monthly basis, no later than 5 days after the first of the month, determine the total quantity of hazardous air pollutants (HAPs) discharged to the atmosphere from the entire facility. The permittee shall keep records of this determination and provide such records to the Office of Air Resources upon request. [29.6.3(b))]
- b. The permittee shall keep and maintain monthly records sufficient to determine actual volatile organic emissions from the entire facility for the

previous 12 months. The recordkeeping requirements shall include the following: [15.2.5(a)(b), 29.6.3(b)]

- (1) Process information [15.4.10(d)];
- (2) Coating formulation data including the name of the coating, the color of the coating if the color is used as part of its name, the identification number for the coating that can be used to relate consumption data for that coating to its formulation data, the density of the coating (lbs coating/gallon of coating), the total VOC content of the coating by weight percent, the water content of the coating by weight percent, the solids content of the coating as a volume percent, the percentage by weight of the coating that consists of exempt solvents as identified in APC Regulation 15, Section 15.1.2, and the formulation of the diluents used (lbs VOC/gallon of diluent); and [15.4.10(e), Consent Agreement 00-01-AP (7a)]
- (3) Coating and diluent consumption data for each piece of equipment, VOCs emitted, daily wash up and clean up solvent and [15.4.10(g), Consent Agreement 00-01-AP (7b)]
- (4) any other data necessary to show compliance. [15.4.10(h) Consent Agreement 00-01-AP (7c)]

### **3. Reporting Requirements**

- a. The permittee shall notify the Office of Air Resources in writing, within 5 business days, whenever the total quantity of HAPs discharged to the atmosphere from the entire facility exceeds 18,000 pounds of any one (1) HAP or 48,000 pounds of any combination of HAPs in any consecutive 12-month period.
- b. The permittee shall notify the Office of Air Resources in writing within 30 days, whenever the quantity of volatile organic compounds emitted exceeds 98,000 pounds in any consecutive 12 month period. [15.2.5(b)]

### **4. Other Requirements**

- a. The permittee shall conduct a RACT Review every three years after 31 May 1995 until the requirements of Air Pollution Control Regulation No. 27, Sections 27.4.2 and 27.4.3 are achieved. This RACT Review shall be submitted to the Office of Air Resources and must include the same information specified in Section 27.4.8(a). This RACT review will not become final until approved by the USEPA as a source specific State

Implementation Plan (SIP) revision. [27.4.8(c), Consent Agreement 95-28-AP(14)]

- b. The permittee shall file a completed Air Toxics Operating Permit with the Office of Air Resources within 60 days of written notice from the Director. [22.5.2] [**Not Federally Enforceable**]

## SECTION II. GENERAL CONDITIONS

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**A. Annual Emissions Fee Payment**

The permittee shall pay an annual emissions fee as established in Air Pollution Control Regulation No. 28 "Operating Permit Fees". [29.6.8(d)]

**B. Permit Renewal and Expiration**

This permit is issued for a fixed term of 5 years. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least 12 months prior to the date of permit expiration. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the Office of Air Resources on the renewal application. In such an event, the permit shield in Condition II.Y of this permit shall extend beyond the original permit term until renewal. This protection shall cease to apply if, subsequent to a completeness determination, the applicant fails to submit by the deadline specified in writing by the Office of Air Resources any additional information identified as being needed to process the application. The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. [29.6.8(a),29.4.2(c), 29.4.6]

**C. Transfer of Ownership or Operation**

This permit is nontransferable by the permittee. Future owners and operators must obtain a new operating permit from the Office of Air Resources. A change in ownership or operational control of this source is treated as an administrative permit amendment if no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Office of Air Resources. [29.10.1(a)(4)]

**D. Property Rights**

This permit does not convey any property rights of any sort, or any exclusive privilege. [29.6.8(c)(4)]

**E. Submissions**

1. Reports, test data, monitoring data, notifications, and requests for renewal shall be submitted to :

RIDEM – Office of Air Resources  
Compliance Assurance Section  
235 Promenade St. Room 230  
Providence, RI 02908

2. Any records, compliance certifications and monitoring data required by the provisions of this permit to be submitted to USEPA shall be sent to:

USEPA Region I  
Office of Environmental Stewardship  
Director, Air Compliance Program  
Attn: Air Compliance Clerk  
100 Congress St., Suite 1100 (SEA)  
Boston, MA 02114-2023

3. Any document submitted shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

**F. Inspection and Entry**

1. Employees of the Office of Air Resources and its authorized representatives shall be allowed to enter this facility at all reasonable times for the purpose of: [29.6.8(f)(1)], PSD-031-120-RI04]
  - a. having access to and copying at reasonable times any records that must be kept under the conditions of this permit; [29.6.8(f)(2)]
  - b. inspecting at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and [29.6.8(f)(3)]
  - c. sampling or monitoring, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements.[RIGL 23-23-5(7), 29.6.8(f)(4), CA-95-28-AP(13), 15.4.10(c), Approval No. 1792(E)(2), Approval No. 1804(F)(2)]



Nothing in this condition shall limit the ability of the USEPA to inspect or enter the premises of the permittee under Section 114 or other provisions of the Clean Air Act.

**G. Compliance**

1. The permittee must comply with all conditions of this permit. Any noncompliance with a federally-enforceable permit condition constitutes a violation of the Clean Air Act and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Any noncompliance with a permit condition designated as state only enforceable constitutes a violation of state rules only and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. [29.6.8(c)(1)]
2. For each unit at the facility for which an applicable requirement becomes effective during the permit term, the permittee shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement.[29.6.5(a)]
3. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [29.6.8(c)(2)]

**H. Excess Emissions Due to an Emergency**

As the term is used in this condition an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes this source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [29.6.11(b)]

Technology-based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain a health based air quality standard.

The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that: [29.6.11(a) & 29.6.11(c)]

1. an emergency occurred and that the permittee can identify the cause(s) of the emergency; [29.6.11(c)(1)]
2. the permitted facility was at the time being properly operated; [29.6.11(c)(2)]
3. during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and [29.6.11(c)(3)]
4. the permittee submitted notice of the emergency to the Office of Air Resources within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements of Condition II.AA.3 of this permit. [29.6.11(c)(4)]

The permittee shall have the burden of proof in seeking to establish the occurrence of an emergency. [29.6.11(d)]

**I. Duty to Provide Information**

The permittee shall furnish to the Office of Air Resources, within a reasonable time, any pertinent information that the Office of Air Resources may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Office of Air Resources copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality. [29.6.8(c)(5)]

**J. Duty to Supplement**

The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the Office of Air Resources. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit. [29.5.4]

**K. Reopening for Cause**

The Office of Air Resources will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:

1. Additional requirements under the Clean Air Act become applicable to a major

source 3 or more years prior to the expiration date of this permit. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit, unless this permit or any of its terms and conditions have been extended. [29.6.13(a)]

2. The Office of Air Resources or the Administrator determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit. [29.6.13(c)]
3. The Office of Air Resources or the Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements. [29.6.13(d)]

Reopenings shall not be initiated before a notice of intent to reopen is provided to the permittee by the Office of Air Resources at least 30 days in advance of the date that this permit is to be reopened, except that the Office of Air Resources may provide a shorter time period (but not less than five days) in the case of an emergency. [29.9.5(b)]

Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable. [29.9.5(a)]

All permit conditions remain in effect until such time as the Office of Air Resources takes final action. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [70.6(a)(6)(iii)]

**L. Severability Clause**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. [29.6.8(b)]

**M. Off-Permit Changes**

1. The permittee is allowed to make certain changes that are not addressed or prohibited by this permit without a permit revision, provided that the following conditions are met: [29.11.2(a)]
  - a. Each such change shall not violate any term or condition of this permit. [29.11.2(b)]

- b. Each change shall comply with all applicable requirements. [29.11.2(b)]
  - c. Changes under this provision may not include changes or activities subject to any requirement under Title IV or modifications under any provision of Title I of the Clean Air Act. [29.11.2(a)]
  - d. Before the permit change is made, the permittee must provide contemporaneous written notice to the Office of Air Resources and the USEPA Region I, except for changes that qualify as insignificant activities in Appendix A of APC Regulation No. 29. This notice shall describe each change, including the date, and change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change. [29.11.2(c)]
  - e. The permit shield does not apply to changes made under this provision. [29.11.2(d)]
  - f. The permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes, including any other data necessary to show compliance with applicable ambient air quality standards. The record shall reside at the permittee's facility. [29.11.2(e)]
- 2. Changes made pursuant to this provision shall not be exempt from the requirement to obtain a minor source permit pursuant to the requirements of Air Pollution Control Regulation No. 9, if applicable. [29.11.2(a)]
  - 3. Changes made pursuant to this provision shall be incorporated into this permit at the time of renewal. [29.11.2(f)]

**N. Section 502(b)(10) Changes**

- 1. The permittee is allowed to make changes within this permitted facility that contravene the specific terms of this permit without applying for a permit revision, provided the changes do not exceed the emissions allowable under this permit, whether expressed therein as a rate of emissions or in terms of total emissions and are not Title I modifications. This class of changes does not include:
  - a. changes that would violate applicable requirements; or
  - b. changes to federally-enforceable permit terms or conditions that are

monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements. [29.11.1(a), 29.1.36]

2. The permittee shall provide written notice to the Office of Air Resources and the USEPA Region I of any change made under this provision. The notice must be received by the Office of Air Resources no later than fourteen (14) days in advance of the proposed changes. The notice shall include information describing the nature of the change, the effect of the change on the emission of any air contaminant, the scheduled completion date of the planned change and identify any permit terms or conditions that are no longer applicable as a result of the change. The permittee shall attach each notice to its copy of this permit. [29.11.1(a)(1), 29.11.1(a)(2)]
3. The permittee shall be allowed to make such change proposed in its notice the day following the last day of the advance notice described in paragraph 2 if the Office of Air Resources has not responded nor objected to the proposed change on or before that day. [29.11.1(b)]
4. Any permit shield provided in this permit does not apply to changes made under this provision. If subsequent changes cause the permittee's operations and emissions to revert to those anticipated in this permit, the permittee resumes compliance with the terms and conditions of the permit, and has provided the Office of Air Resources and USEPA with a minimum of fourteen (14) days advance notice of such changes in accordance with the provisions of paragraph 2, the permit shield shall be reinstated in accordance with terms and conditions stated in this permit. [29.11.1(c)]
5. Changes made pursuant to this provision shall be incorporated into the operating permit at the time of renewal. [29.11.1(d)]

**O. Emissions Trading**

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. [29.6.6(a)]

**P. Emission of Air Contaminants Detrimental to Person or Property**

The permittee shall not emit any air contaminant which either alone or in connection with other emissions, by reason of their concentration or duration, may be injurious to human, plant or animal life, or cause damage to property or which unreasonably interferes with the enjoyment of life or property. [7.1]

**Q. Odors**

1. The permittee shall not emit or cause to be emitted into the atmosphere any air contaminant or combination of air contaminants which creates an objectionable odor beyond the property line of this facility. [17.1]
2. A staff member of the Office of Air Resources shall determine by personal observation if an odor is objectionable, taking into account its nature, concentration, location, duration and source. [17.2]

**R. Visible Emissions**

1. Except as may be specified in other provisions of this permit, the permittee shall not emit into the atmosphere, from any emission unit, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]
2. Tests for determining compliance with the opacity limitations specified in this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

**S. Open Fires**

It shall be unlawful for the permittee to burn any material in an open fire, except as provided in APC Regulation No. 4, Section 4.3. [4.2]

**T. Construction Permits**

It shall be unlawful for the permittee to construct, install, modify or cause the construction, installation or modification of any stationary source subject to the provisions of APC Regulation No. 9 without obtaining either a minor source permit or a major source permit from the Director. [9.2.1]

**U. Sulfur in Fuel**

1. Except as may be specified in other provisions of this permit, unless the Director declares in writing after a hearing that a shortage of low sulfur fuel exists, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0% by weight, except for use with marine vessels or motor vehicles. [8.2, 8.3.6]

2. Compliance with the sulfur in fuel limitations contained in this section shall be determined by the procedures listed below or by another method deemed equivalent by the Director: [29.6.3(b), Approval No. 1804(D)(1)]
  - a. For each shipment of fuel oil, the permittee shall obtain a certification from the fuel supplier which contains: [Approval No. 1804(D)(2)]
    - (1) For distillate fuel oil:
      - (a) the name of the supplier
      - (b) a statement that the oil complies with the specification for fuel oil number 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78 "Standard Specification for Fuel Oils." [27.6.4 (a)-(b)]
    - (2) For residual fuel oil:
      - (a) The name of the supplier, [Approval No. 1804(D)(2)(a)]
      - (b) The nitrogen and sulfur content of the oil and the ASTM method used to determine the nitrogen and sulfur content of the oil, [Approval No. 1804(D)(2)(b), (d)]
      - (c) The location of the oil when the sample was drawn for analysis to determine the nitrogen and sulfur content of the oil, specifically including whether the oil was sampled as delivered to the permittee or whether the sample was drawn from oil in storage at the oil suppliers/refiners facility or another location. [27.6.5(a-d), Approval No. 1804(D)(2)(c)]
    - (3) For diesel fuel oil:
      - (a) the name of the supplier,
      - (b) a statement that the oil complies with the specification for diesel fuel oil grade 1-D or 2-D, as defined by the American Society for Testing and Materials in ASTM D975-03 "Standard Specification for Fuel Oils." [29.6.3]

- b. As an alternative to fuel oil certification, the permittee may elect to sample the fuel oil prior to combustion. Sampling and analysis shall be conducted after each new shipment of fuel oil is received. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any fuel oil is combusted. [27.6.6, 8.4.1(b), Approval No. 1804(D)(3)]
- c. All fuel oil must be sampled and analyzed according to ASTM methods which have the prior approval of or are required by the Office of Air Resources. [27.6.6, 8.4.1(b)]
- d. Copies of the fuel oil analysis sheets shall be maintained at the facility and be made accessible for review by the Office of Air Resources or designated personnel of the Office of Air Resources and the USEPA. These records shall include a certified statement, signed by a responsible official, that the records represent all of the fuel combusted during each quarter. [27.6.7, 29.6.4(a)(1)]
- e. The Director may require, under his supervision, the collection of fossil fuel samples for the purpose of determining compliance with the sulfur limitations in this permit. Sampling and analysis of fossil fuels under Condition II.U.2 of this permit shall not limit the collection of samples under this condition. [8.4.3]

**V. Air Pollution Episodes**

Conditions justifying the proclamation of an air pollution alert, air pollution warning or air pollution emergency shall be deemed to exist whenever the Director determines that the accumulation of air pollutants in any place is attaining or has attained levels which could, if such levels are sustained or exceeded, lead to a substantial threat to the health of persons. If the governor declares an air pollution alert, air pollution warning or air pollution emergency, the permittee shall comply with the applicable requirements contained in APC Regulation No. 10. [10.1]

**W. Fugitive Dust**

The permittee shall not cause or permit any materials, including but not limited to sand, gravel, soil, aggregate and any other organic or inorganic solid matter capable of releasing dust, to be handled, transported, mined, quarried, stored or otherwise utilized in any way so as to cause airborne particulate matter to travel beyond the property line of the facility without taking adequate precautions to prevent particulate matter from becoming airborne. Such precaution shall be in accordance with good industrial practice as determined by the Director and/or shall be other reasonable fugitive dust prevention measures as determined by the Director. [5.2]



**X. Compliance Certifications**

1. The permittee shall submit a certification of compliance with permit terms and conditions annually. [29.6.5(c)(1)]
2. The certification shall describe the following:
  - a. the permit term or condition that is the basis of the certification; [29.6.5(c)(3)a]
  - b. the current compliance status; [29.6.5(c)(3)b]
  - c. whether compliance was continuous or intermittent; and [29.6.5(c)(3)c]
  - d. the methods used for determining compliance, currently and over the reporting period. [29.6.5(c)(3)d]
3. All compliance certifications shall be submitted to the Office of Air Resources and to the USEPA Region I. They shall be submitted within 60 days following the end of the reporting period which is the calendar year unless otherwise specified. [29.6.5(c)(4)]
4. All compliance certifications shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

**Y. Permit Shield**

1. Compliance with the terms and conditions of this permit shall be deemed compliance with all requirements applicable to the source in the following: Consent Agreements 95-28-AP and 00-01-AP, PSD-031-120-RI04, Approval Nos. 586, 1792, 1804, 40 CFR 64 and RI APC Regulation Nos. 1, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 17, 22, 27, 28, 29 and 36. [29.6.12(a)(1)]
2. The Office of Air Resources has determined that units E820, E821, B802, B801, B812, D001, P360, P501, P502, P503, P504, P508, P401, P402, P403, P901, P902, P903, F900, T411, T412, T500 and B803 are not subject to the following: 2, 3, 11, 12, 16, 19, 20, 21, 23, 24, 25, 26, 30, 31, 32, 33, 35, 39 and 41. [29.6.12(a)(2)]
3. Nothing in this permit shall alter or affect the following:
  - a. the provisions of Section 303 of the Clean Air Act, including the authority of

- the USEPA under that Section. [29.6.12(c)(1)]
- b. the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [29.6.12(c)(2)]
  - c. the applicable requirements of the acid rain program consistent with Section 408 of the Clean Air Act. [29.6.12(c)(3)]
  - d. the ability of the USEPA to obtain information under Section 114 of the Act. [29.6.12(c)(4)]
4. If it is determined that this operating permit was issued based on inaccurate or incomplete information provided by the permittee, this permit shield shall be void as to the portions of this permit which are affected, directly or indirectly, by the inaccurate or incomplete information. [29.6.12(d)]

**Z. Recordkeeping**

- 1. The permittee shall, at the request of the Director, provide data on operational processes, fuel usage, raw materials, stack dimensions, exhaust gas flow rates and temperatures, emissions of air contaminants, steam or hot water generator capacities, types of equipment producing air contaminants and air pollution control systems or other data that may be necessary to determine if the facility is in compliance with air pollution control regulations. [14.2.1]
- 2. All records and supporting information required by this permit shall be maintained at the permittee's 460 Bradford Road facility for a period of at least 5 years from the date of sample monitoring, measurement, report or application, and shall be made available to representatives of the Office of Air Resources and the USEPA upon request. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [14.2.1, 29.6.4(a)(2), 15.4.10(c), CA-95-28-AP(13), PSD-031-120-RI04, Approval No. 1792(D)(7), Approval No. 1804(E)(9)]
- 3. The permittee shall keep records of required monitoring information that include the following:
  - a. The date, place, and time of sampling or measurements; [29.6.4(a)(1)a]
  - b. The date(s) analyses were performed; [29.6.4(a)(1)b]
  - c. The company or entity that performed the analyses; [29.6.4(a)(1)c]

- d. The analytical techniques or methods used; [29.6.4(a)(1)d]
- e. The results of such analyses; and [29.6.4(a)(1)e]
- f. The operating conditions as existing at the time of sampling or measurement. [29.6.4(a)(1)f]

**AA. Reporting**

- 1. The information recorded by the permittee pursuant to Condition II.Z.1. of this Section shall be summarized and reported at least annually to the Director. It shall be submitted by April 15<sup>th</sup> unless otherwise specified. Information submitted pursuant to this condition will be correlated with applicable emissions limitations and other applicable emissions information and will be available for public inspection. [14.2.2, 14.2.3]
- 2. The permittee shall submit reports of any required monitoring for each semiannual period ending 30 June and 31 December of each calendar year. These reports shall be due to the Office of Air Resources no later than forty-five (45) days after the end of the reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with Condition II.X.4 of this permit. [29.6.4(b)(1)]
- 3. Deviations from permit conditions, including those attributable to upset conditions as defined in this permit, shall be reported, in writing, within five (5) business days of the deviation, to the Office of Air Resources. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken. Each report must be certified by a responsible official consistent with Condition II.X.4 of this permit. [29.6.4(b)(2), Approval No. 1804(E)(8)]
- 4. The Office of Air Resources shall be notified in writing of any planned physical change or operational change to the emissions units and control devices identified in this permit. Such notification shall include information describing the nature of the change, information describing the effect of the change on the emissions of air contaminants and the scheduled completion date of the planned change. Any change which may result in an increased emission rate of any air contaminant shall be subject to approval of the Office of Air Resources. [Approval No. 1792(D)(6), Approval No. 1804(E)(4)]

**BB. Credible Evidence**

For the purpose of submitting compliance certifications or establishing whether or not the permittee has violated or is in violation of any provision of this permit, the methods used in

this permit shall be used as applicable. However, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether the permittee would have been in compliance with applicable provisions of this permit if the appropriate performance or compliance test procedures or methods had been performed. [40 CFR 51.212(c), 52.12(c), 52.33(a)]

**CC. Emission Statements**

1. The permittee shall submit annually an emission statement which includes information for both VOC and NO<sub>x</sub> if facility wide actual emissions are 25 tons per year of either pollutant. Emission statements shall be submitted to the Office of Air Resources on April 15<sup>th</sup> of each year unless otherwise specified. The permittee may apply to the Office of Air Resources to be allowed to discontinue submitting annual emission statements if actual emissions at the facility decrease to below 10 tons per year as a result of a permanent process change. [14.3.1]

The permittee shall submit an emission statement in a format approved by the Office of Air Resources. The emission statement shall contain the following information: [14.3.2]

- a. A certification that the information contained in the emission statement is accurate and complete to the best knowledge of the certifying individual.
- b. The full name, title, signature, date of signature, and telephone number of the certifying individual.
- c. Facility identification information, including the full name, physical location, mailing address, latitude, longitude, and four digit SIC code(s).
- d. Process data pertaining to each process emitting VOC and/or NO<sub>x</sub>, including:
  - (1) Annual and typical ozone season daily fuel use,
  - (2) Annual and typical ozone season daily process rate(s), and
  - (3) Process throughput while air pollution control equipment was not in operation.
- e. Operating data pertaining to each process emitting VOC and/or NO<sub>x</sub> during the reporting year, including:
  - (1) Percentage annual throughput,
  - (2) Average hours of operation per day during the reporting year and on a typical ozone season day,
  - (3) Average number of days of operation per week during the reporting year and during a typical ozone season week, and

- (4) Weeks of operation during the reporting year and during the peak ozone season.
- f. Control equipment information, including:
  - (1) Specific primary and secondary control equipment for each process emitting VOC and/or NO<sub>x</sub>,
  - (2) Current overall control efficiency for each piece of control equipment (indicated by percent capture and percent destruction or removal), and
  - (3) Control equipment downtime during the reporting year and during the peak ozone season.
- g. Emissions information, including:
  - (1) Actual annual and typical ozone season daily emissions of VOC and NO<sub>x</sub> for each process. Emissions should be reported in tons per year and in pounds per day.
  - (2) A description of the emission calculation method and, if applicable, emission factor(s) used, and
  - (3) The calendar year for which emissions are reported.
- h. Any additional information required by the Director to document the facility's emission statements.

**DD. Miscellaneous Conditions**

- 1. This permit may be modified, revoked, reopened, reissued or terminated for cause. The filing of a request, by the permittee, for a permit modification, revocation and reissuance or termination or of a notification of planned changes or anticipated noncompliance does not release the permittee from the conditions of this permit. [29.6.8(c)(3)]
- 2. Any application for a permit revision need only submit information related to the proposed change. [29.4.3(c)]
- 3. Terms not otherwise defined in this permit shall have the meaning given to such terms in the referenced regulation.
- 4. Where more than one condition in this permit applies to an emission unit and/or the entire facility, the most stringent condition shall apply.

### SECTION III. SPECIAL CONDITIONS

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These sections contain air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

#### A. Ozone-depleting Substances

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a. All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.
  - b. The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.
  - c. The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.
  - d. No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.
2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVAC) in Subpart B:
  - a. Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.
  - b. Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.
  - c. Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

- d. Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.
  - e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
- 3. If the permittee manufactures, transforms, imports or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, "Production and Consumption Controls".
  - 4. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, "Servicing of Motor Vehicle Air Conditioners".

The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.
  - 5. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

**B. Prevention of Accidental Releases**

Your facility is subject to the requirements of the General Duty Clause, under 112 (r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.